

AMENDED IN ASSEMBLY MAY 12, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 252**

**Introduced by Assembly Member Jackson**

February 3, 2003

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An act to ~~add Section 7647 to the Family Code~~, relating to paternity.

LEGISLATIVE COUNSEL'S DIGEST

AB 252, as amended, Jackson. Paternity judgments.

Existing law provides that a judgment or order of the court determining the existence or nonexistence of the parent and child relationship is determinative for all purposes, except as specified. Existing law also provides that a court has continuing jurisdiction to modify or set aside a judgment or order made under the Uniform Parentage Act.

This bill would ~~provide that a judgment or order establishing paternity may be set aside by the court after certain time periods specified for challenging a default judgment, upon motion by a party, if genetic testing indicates that the previously established father of a child is not the biological father of the child~~ *require the Legislature to consider the findings of a specified workgroup prior to enacting further legislation in regard to the establishment of paternity or creating new procedures relating to challenges to paternity judgments.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

~~SECTION 1. Section 7647 is added to the Family Code, to~~

*SECTION 1. Prior to enacting further legislation making changes in statutory procedures for the establishment of paternity or creating new procedures relating to challenges to paternity judgments, the Legislature shall take into account the findings of the workgroup on paternity issues that has been convened this year by the Department of Child Support Services.*

~~read:~~

~~7647. A judgment or order establishing paternity may be set aside by the court, upon motion by a party, after the expiration of the time period within which a default judgment may be set aside pursuant to Section 473, 473.5, or 585.5 of the Code of Civil Procedure, if genetic testing indicates that the previously established father of a child is not the biological father of the child.~~